David Pigott, Walker Moore, William M. Parker, George M. Summerell, Henry P. West. Joshua G. Craig, Richard H. Grant,

C. G. Barker, William M. Braly, colored, W. J. Skipper, J. A. Harman.

There were twenty three challen by the prisoner, the limit allowed by law, and two peremtory challenges by the State, six being set aside. The jury being empannelled Anna then as Anderson (col.) first witness, was introduced by the State, and testified as follows:

my house; they had a small bottle of 12 o'clock. door and inquired for an Irish woman, I told him she did not stay here. Jas Strick and asked me to let him come in. I told him I had company enough, but after a while he did come in, and they all, a man by the name of Charles Lodoff, Pat Myers and Jas. Strickland, had a drink together. After a while Caroline Green came in, and upon going out afterwards was followed by James come in and have some more drinks; I two latter for the defence. cut, I'm cut;" Charley went out to him; ee Strickland any more that night; l'atrick Myers was brought back to my house with his entrails hanging out; he lived from then (Saturday night) until the next Friday.

Cross examined-Pat Myers did not house and asked for admission, did not know him; I will sa ar that the voice was that of Jas. Strick and; I saw the beard on his face just like he has now; he had been drinking for I smelt it on him: they took two drinks in my house; Myers, when he left my house went out of the back door, and jumped over the fence. It was 12½ o'clock at night when Strickland came there; the moon was just about going down; when Strickland came in they all sat down on a box, and

he belonged to the army, the others said they had been seamen. Joshua Davis was next called and sworn, and testified as follows: I know James Strickland, but still I never knew him by that name; I can't be certain that that is the James Strickland

He wanted to know what he meant by leave his bed. your hand in your pocket for? I saw be present in court, he would is the motion of the man's hand and capias to compel his presence.

CROSS EXAMINED.

could not state that the prisoner was ground that the act of the Assembly the man who was there; I recognized that his clothes were the same; he had on black clothes and looked like a BY DEFENCE.

This occurred after 12 o'clock; I had just got in bed; I heard Patrick Myers run across the piazza; the man had just then passed the corner of the house. Myers went up to him; I don't think Myers had on a coat; the moon was not shining very brightly; I don't know that the prisoners was the man. I suppose from Strickland's clothes, that he was the man. I don't know that Annie Anderson keeps a bad house. I don't know that it is considered a bad local-Myers after he was wounded.

mony, the court took a recess until 23 At 21 o'clock P. M. Court reassembled, and the examination of witnesses was resumed.

J. J. Cassidey, J. P .- I received the dying declarations of Patrick Myers. I received them officially. The declara-trons that I took were taken on the 27th tions that I took were taken on the 27th May. I don't know what day he died, but it was a few days afterwards. Patrick Myers on the morning of the 24th of May, about 1 o'clock, he had been would be about 1 one hour. He died on the control one hour. He Dr. J. F. King-I was called to see died on the 20 : day.

J. J. Caradev, J. P., recalled—I took the declaration on the 27th May. He said that he reckoned he would die; that he was very bad off. He said that the doctor had said he must die.

Cross-Examined.—I went in the room and found him on a pallet on the floor. I stooped down and asked him how he felt, he said he was not the noor. I stooped down and asked him how he felt, he said he was not shim how he felt, he said he was not suffering any particular pain at that a gricultural Association and in managing its annual Fairs; and that a special Committee be appointed to the his dying declaration. It was about 10 o'clock in the morning. Dr. king, recalled—I visited Patrick had been through many narrow escapes and supposed that he would get well this time, when he intended to go to Nova Scotia, from whence he said he came. This was after the visit of Justice Cassidey. His condition was favorable. I spoke to him in reference to his condition and told him I

thought he would get well, if proper care was given him. He seemed to be hopeful and said that if he did get well he would lead a better life. He was not in a dying condition when I saw him on Wednesday. To the best of my recollection I never told him I thought he would die.

At this juncture Major Stedman, one of the counsel for the defence, read a "brief" against the admissibility of Justice Cassidey's evidence relative to the dying declaration of the deceased. The Judge ruled out the evidence.

rally. The wound was inflicted in the peritoneum. There was very little inflammation. He was cut about

night. James Strickland was at my house on that night and inquired for time, in the neighborhood of Fair the long house, on Church street, near Cassiday's ship yard. It was about ten o'clock. Strickland left my house then and I did not see him again that

Laura Taylor—I recoolect the night wilmington. He had been here but I stay on Mulberry street in this city. I know James Strickland, that is him sitting in the prisoners box; I know Patrick Myers, he is now dead. I saw him last in May. He died at my house in May 1874. On Saturday night when I went home at 11 o'clock; Patrick Anderson lived in the long house at whom he had some conversation. He Myers and two other sailors came to that time. In my opinion it was about

whiskey; Jas. Strickland came to my | A. R. Black-This witness was inincompetent. At this hour five o'clock the State announced his evidence closed. The defendants introduced no testimony.

The evidence being closed, the argument was opened by A. T. London, Esq., for the defence, followed by Solicitor Norment, for the State, who Strickland, who came back again to my house and I told him he could not come in turn was followed by Major C. M. in; Pat Myers said to me let the man | Stedman and E. S. Martin, Esq., the His Honor, Judge McKoy, then de-

God, Charley come and help me; I'm their memories by a recapitulation of the evidence; remarking to them, I recognized the voice of Jas. Strekland however, that they were the sole as the one at my door; Ludoff was in judges of the testimony and must be the house at the time, and upon hear- guided by it, according to their own ing the alarm went out too. Did not recollection. His Honorreminded the Jury that they had two duties to perform, the one to society, the other to the prisoner at the bar; both equally imperative. He charged them to weigh the facts with the law as applicable to them, patiently, that a human life was stay at my house but came there some- at stake, and, therefore, the Court felt times; prisoner at the bar came to my that it owed them no apology in trespassing either upon their time or patience. The Jury retired and in about half an hour returned a verdict of prisener once before that night; he had beard on his face just like he has now: was discharged.—Daily Journal, of

a motion of the State's Counsel to remove the cases against James Heaton to some other county. He is indicted, with a negro, Louis Davis, for staying talked over war affairs; Strickland said the election in the First Ward, and with twelve or thirteen negroes for a physician, Dr. S. S. Satchwell, was ministrations of Rev. W. H. Hoyle, of

introduced to show his condition. it would endanger the life of Heaton

out of back door, jumed over fence and went up to a man and told him to stop; it would not be advisable for him to

A long argument ensued upon the age. I did not see the man at the front door; I heard him; I went to bed between three and five minutes before; the moon was not shining much; I

davits from Colonel Roger Moore ask-ing removal on account of it being im-in Brunswick county. His Honor, Judge McKoy, in a most Hanover.

After further discussion, His Honor removed the cause to Brunswick county, to be tried on Thursday of the first

Solicitor Norment, Hon. George Daity. People talk about it; they say so. vis and Colonel Robert Strange apIt don't look lonely to me. I saw peared for the State, and Hon. D. L. At the close of this witnesses testi- R. B. Frayser, Esq., for the defense.

The Cape Fear Council of the Patrons of Husbandry. A special meeting for the purpose of promoting the interest of the order was held at the City Hall in this city Granges composing the Council. A fine and harmonious spirit pervaded the assemblage. The President, Wm.

ricultural Association, and the contemplated Fair now approaching. Upon this subject of so much importance to all our people, the following resolution was adopted.

Resolved, That in the opinion of this Council farmers should have a paramount control in the Cape Fear Agricultural Association and in man-

THE GALLOWS

Execution at Whiteville Yesterday George Berry, the Murderer of Cain Cooper, Perishes on the Gallows-Confession of the Prisoner -His Last Appearance in Life-

\*\*SUPERIOR COURT.\*\*
The State vs. James Strickland, Charged with the Murder of Patrick Myers.\*

\*\*VERDICT OF ACQUITTAL.\*\*

The prisoner having been arraigned on Tuesday last, was yesterday morning brought into court at 10 o'clock. Mr. Solicitor Norment was requested to ascertain if the State was ready to go into the trial. After calling the witnesses he announced his readiness to proceed with the trial. The original panel being exhausted, the names of the one hundred special venire which the sheriff had summoned in this case, were placed in the hat. The following jury was drawn. Gaston H. Hill,

David Pigott,

Walter Moore.

\*\*His Last Appearance in Life—The Olosing Scenes, &c., &c. George Berry, colored, who murdered Cain Cooper, also colored, in September of last year, expisted his crime on the scaffold, at Whiteville, the county-seat of Columbus county, year the last term of Columbus county, was tried and sentenced at the last term of Columbus court, with His Honor Judge Indicates of the one hundred special venire which the sheriff had summoned in this case, were placed in the bat. The following jury was drawn.

Gaston H. Hill,

David Pigott,

Walker Moore.

\*\*Novement was requested to ascentiating the witnesses the anness of the one hundred special venire which the sheriff and summoned in this case, were placed in the bat. The following jury was drawn.

Gaston H. Hill,

David Pigott,

Walker Moore.

\*\*Novement was reduced to the county of the Wound, leaving the patient in a prostrated condition, from which he could not, and did not radic play the patient in the patient in the patient in the produced a cholera morbus, causing vom which he could not, and did not radic play the patient in the patient The murderer made his escape, and

remained at large until last April, 4 or 5 inches across the abdomen, just when he was captured in this city, and was returned to Columbus county and um to the entrails, which protruded.

Anna Stubbs—I know Jas. Strickland; he now sits in the criminal box.

Patrick Myers was cut on a Saturday night. James Strickland woods and remained out for some Molly Dove. I told him she lived in Bluff, and not more than eight miles from the place. He afterwards went to the upper part of Cumberland county, and from thence to Harnett, where he says that he was doing very well, but thought to better himself in the

until he one day encountered a young man from Fair Bluff who knew him and spoke to him and with that time. In my opinion it was about 12 o'clock.

A. R. Black—This witness was introduced for the purpose of showing that the deceased recognized the prisoner. The Court decided the evidence incompetent. At this hour five c'clock him to return. He did so and was a ware that the city would become too hot for him, and at once made preparations to leave here and was on a boat in the river and had shoved out into the stream, when police officers appeared on the wharf and ordered him to return. He did so and was taken in custody by them, without re-sistance, and carried to the guard house, where he remained until the Sheriff of Columbus arrived in the city gentlemen Grangers? and conveyed him to the jail at Whiteville. He confessed to the murder

yesterday morning, when Sheriff Haynes asked him a leading question, but denied two other crimes which had been reported to have been comsome time previously. His denial on | mium list these two points was a very vehement | printer and will soon appear.

fit of madness, plunged my knife into be invited, and generally everybody Early in the forencon of yesterday, a large crowd of persons, white and The Cases against James Meaton. er was ready, with his arms pinioned. Petizers," and cling to that remedy. The Superior Court yesterday was and dressed for the execution. To a There is no medicine that compares EVE AND EAR HISTITUTE. engaged nearly all the forenoon upon question that was put to him he re- with it. plied, very calmly, that he was ready, and at once accompanied the Sheriff Schenck's Pulmonic Syrup, for the from the room, down the steps of the jail, and into the enclosure where the gibbet had been erected. He exhibited the same calmness when bidding his relatives and friends a last farewell. riot in this city on last election day.

Heaton was not present, and his He was comforted, to the last, by the

the M. E. Church in Whiteville. After Dr. Satchwell could not swear that having arrived at the foot of the gallows, a hymn was announced and sung that they talk about; I am cautious about swearing about such things; I live on Surry street about a foot from Annie Anderson, that is, next door. On Saturday night, the 23d of May last. I Annie Anderson, that is, next door. On Saturday night, the 23d of May last, I was home; I saw a man there that night; I don't knew for certain that it was strickland; I suppose I might have said it was him, I ain't certain—(questions of Solicitor was here objected to by defence.)

BY THE COURT.

1 saw somebody that night; I can't saw somebody that night; I can't hardly recognize him, but think that hard be him in the box.

BY STATE.

1 heard a man at Front door of Annie Anderson's house; Patrick Myers came out of back door, jumed over fence and on a bed of sickness, and should not be required to leave it. I have advised out of back door, jumed over fence and on a bed of sickness, and now advise the Court, that

ed to die a very hard death,

Myers shouted "Help! Help! he has cut my guts out." Patrick Myers ton waived the constitutional right came in the house then.

Capital to compet his presence.

Under protest, the counsel for Heaton waived the constitutional right which their client had to be present.

David Martin, Solicitor Norment yesterday prayed

granting this power had been repealed, as Battle's Revisal did not contain it.

The objection was overruled. The of June last, and respited by the Govort decrease gave notice of incounsel for defense gave notice of intention to object.

The counsel for State then read affidavits from Colonel Roger Moore asking removal on account of it being im-

feeling manner, after wholesome counsel to the prisoner, sentenced him to be hanged on Friday, 18th December.

Judge Russell moved an arrest of brush dipped in the fragrant 80ZUDUNT once or twice a day. week of February court.

Upon this announcement, the counsel for the prisoners said they would withdraw their notice of appeal.

Solicitor Normant Han Clearer D. was convicted. The motion was over-

Martin was carried back to the jail ----Superior Court.

The following cases were disposed of vesterday, viz: State vs Richard Moore, for larceny verdict guilty. Judgment suspended and ordered by the Court that the sheriff dispose of him to some good man who will pay the costs and make him work it out.

State vs David Jones, for largeny. Guilty. Sentenced to 2 years in the Penitentiary.
The defendant, Edward Rouse, was recognized in the sum of \$100 for his appearance at next term.
State vs Emeline Pierce, for larceny. Not guilty.

Samuel Blossom was recognized in the sum of \$200 for his appearance at Is superior to any other and needs but a single trial to convince.

It was ordered by the Court that an allowance of \$20 be made to Dr. J. F. King for his services as an expert in the case of James Strickland. Susan Robinson was recognized in

Brilliant Wedding at Rockingham. On last Wednesday evening, the 28th inst., Mr. H. Clay Wall, formerly a representative in the Legislature from Richmond county, was married, at the residence of the bride's father, in Rockingham, Richmond county, to Miss Fanny, the beautiful and accomplished daughter of J. W. Leak, Esq.

George Ashford. Assault and battery. Six months in the Work House, Julius Middleton, Larceny, Two

years in the Penitentiary.

John Washington, Affray, Sentenced to twelve months hard labor in the Work House. Lewis Wallace, Larceny. years in the Penitentiary. James Hargett, Larceny. years in the Penitentiary.

Cape Fear Agricultural Associa-

Messrs, Editors:

GENTS: I see the Grangers in con. cil resolved to help us if we call upon them. I now, on behalf of the management, call loudly upon them, one and all, to come and help us now and ever. We will let them take the lead and thank them besides, and will help them, if they need help, to run the As sociation and make it great end pow-erful for good. We ask for none of the honors; all we want and all we ask is summed up in a few words: "Make it a

The grounds are large and well lo cated. the buildings sufficient for the present, and a great institution may be worked out. Will you do it

We pause for a reply. S. L. FREMONT, Pres't Cape Fear Ag'l Ass'n.

Is now a fixed fact. The Vice-Presmitted by him, one of which was the idents for the counties have, in part, refused; the door was locked and key in my bosom; Pat Myers then went out the back door and hadn't been gone no time before I heard him halls, "oh my livered a clear and comprehensive charge to the Jury, recounting the law applicable to the ease and refreshing last winter, and the other being let every body get ready. The preone. As for the murder of Cooper, he asserts that he did not intend to kill to belp and will do what they can the man; the act was committed in the | We are assured that the Carolina Cen-

> and his family will come and bring something. black, thought to number from 4,000 | IF THE DRUGGIST offers any kind of to 5,000 souls, had assembled in the herb-flavored alchohol for dyspepsia, neighborhood of the jail, near which the gallows was crected, to witness the horrible spectacle. Just as the clock struck 12 Sheriff Haynes, with his guard of deputies, entered the pri-on-ulating preparation known, and which was the control of the pri-on-ulating preparation known, and which was the control of the pri-on-ulating preparation known, and which was the control of the pri-on-ulating preparation known, and which was the control of the pri-on-ulating preparation known, and which was the control of the pri-on-ulating preparation known, and which was the control of the pri-on-ulating preparation known, and which was the control of the pri-on-ulating preparation known, and which was the control of the pri-on-ulating preparation known, and which was the control of the pri-on-ulating preparation known, and which was the control of the pri-on-ulating preparation known, and which was the control of the pri-on-ulating preparation known, and which was the control of the pri-on-ulating preparation known, and which was the control of the pri-on-ulating preparation known and which was the control of the pri-on-ulating preparation known and which was the control of the pri-on-ulating preparation known and which was the control of the pri-on-ulating preparation known and which was the control of the pri-on-ulating preparation known and which was the control of the pri-on-ulating preparation known and which was the control of the pri-on-ulating preparation known and which was the control of the pri-on-ulating preparation known and which was the control of the pri-on-ulating preparation known and which was the control of the pri-on-ulating preparation known and which was the control of the pri-on-ulating preparation known and which was the control of the pri-on-ulating preparation known and which was the control of the pri-on-ulating preparation known and which was the control of the pri-on-ulating preparation known and which was the control of the pri-on-ulating preparation known and which was the control of the prier's cell to prepare him for the awful you know is free from "Satan's Elixi." fate which awaited him. The prison-Reject all the fiery "Tonics" and "Ap-

> > Cure of Consumption, toughs and Cords.

The great virture of this medicine is that if ripens the matter and throws it out of the sys-tem, purifies the blood, and thus effects a cure eure of Dyspepsia, Indigestion, &c.

of Liver Complaint, &c. The pills are alterative, and produce a bealthy action of the liver without the least

making a fuss at the front door; Myers caught hold of the man by the coat; the man told him to take his hand out of his collar; Myers said what you put your hand in your pocket for? I saw the motion of the man's hand and the motion of the man's promotion of the man's the motion of the motion of the man's the motion of the man's the motion of the motion of the motion of the motion of t the druggists everywhere.

Two or three doses of Sheridan's Cava'ry Con dition Powders will cure a horse of any common cough or cold, and the very worst cases may be cured in a few weeks. We know this from ex-

Like Regulars on Dress Parade Solicitor Norment yesterday prayed judgment upon David Martin, the negro boy, heretefore convicted of the murder of little Willie Carter. He was sentenced to be hand on the 18th.

The teeth should always be scrupulously clean and free from blemish. Keep them in this condition with the incomparable SOZODONT, and wn'n they are veterans in the service, they will still be as "good as new."

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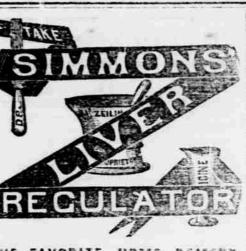
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the man; the act was committed in the heat of an affray between the two. He said: "The devil was in me when the Lord ought to have been, and I, in a fit of madness, plunged my knife into 6 5 Howard St., Baitimore, Soil,

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R. W. HUGBES, U. S. Judge Eastern a lower depth of mis-ry, but it is a vegetable ton cacting directly on the liver and spicen. It regulates the Bowels, quie sthe whole system as to soon make the like a new person.

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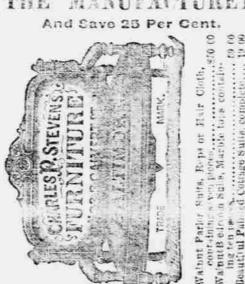
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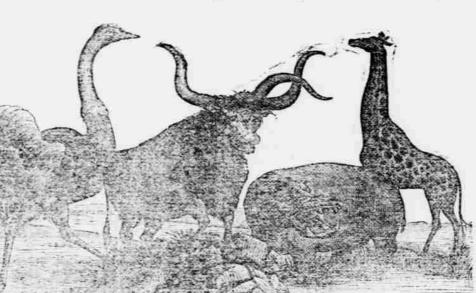
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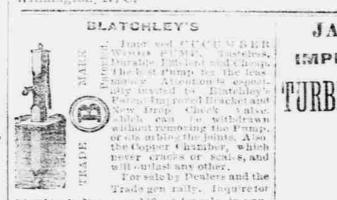
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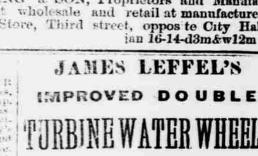
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